

EXHIBIT 46

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

COALITION FOR TJ,

Plaintiff,

v.

FAIRFAX COUNTY SCHOOL BOARD,

Defendant.

No. 1:21-cv-00296-CMH-JFA

**PLAINTIFF'S OBJECTIONS AND RESPONSES TO DEFENDANT'S
FIRST SET OF REQUESTS FOR PRODUCTION**

PRELIMINARY STATEMENT

Plaintiff Coalition for TJ has not yet fully completed the investigation of the facts relating to this case and has not yet fully completed discovery in this action. Plaintiff's objections herein are based upon information and documents currently known to Plaintiff. Further discovery, independent investigation, legal research, and analysis may supply additional facts and lead to additions, changes, and variations from the answers herein.

The following objections are given without prejudice to the right to produce evidence or witnesses that Plaintiff may later discover. Plaintiff accordingly reserves the right to change any and all objections herein as additional facts are ascertained, witnesses are identified, and legal research is completed. The objections contained herein are made in good faith and should in no way prejudice Plaintiff in relation to further discovery and proceedings. Plaintiff has not completed its review of the requested documents and has not yet determined whether it will withhold documents on the basis of any objection asserted herein. Plaintiff does not waive, and expressly reserves, its right to object to the relevance and admissibility of any document for use at trial.

GENERAL OBJECTIONS

Plaintiff objects generally to Defendant's Requests to the extent that they seek to impose obligations beyond the Federal Rules of Civil Procedure and Local Rules.

Plaintiff objects to the definition of "You," "Your," and "Plaintiff" as defined in subsection A of Defendant's Definitions as referring to "Plaintiff John Doe." Plaintiff's objections to this First Request for Production of Documents assume that the terms "You," "Your," and "Plaintiff" refers to Plaintiff Coalition for TJ.

Plaintiff objects to the definition of "document" or "documents" in paragraphs F and G of Defendant's Definitions to the extent that they seek to impose a definition that is different from or broader than Fed. R. Civ. P. 34(a)(1)(A).

Plaintiff objects to paragraph A of Defendant's Instructions to the extent that it seeks to impose obligations beyond those in Fed. R. Civ. P. 34(b)(2)(E)(i), which allows documents to be produced "as they are kept in the usual course of business."

Plaintiff objects to paragraph B of Defendant's Instructions to the extent that it seeks to impose obligations beyond those in Fed. R. Civ. P. 26(b)(5).

Plaintiff objects to paragraph C of Defendant's Instructions to the extent that it seeks to impose obligations beyond the Federal Rules of Civil Procedure and Local Rules.

SPECIFIC OBJECTIONS AND RESPONSES

REQUEST FOR PRODUCTION NO. 1:

All documents referencing or reflecting the formation of Coalition for TJ.

PLAINTIFF'S OBJECTION:

Plaintiff objects to this request to the extent that it seeks the production of communications protected from disclosure by the attorney-client privilege.

Plaintiff objects to this request to the extent that it seeks information protected from disclosure by the attorney-client privilege. Plaintiff further objects to the phrase “notes and/or minutes” as vague and overbroad.

PLAINTIFF’S RESPONSE:

None.

REQUEST FOR PRODUCTION NO. 5:

All documents and emails passing between Glenn Miller and Asra Nomaní that refer or relate to (i) the formation of Coalition for TJ, (ii) TJ, or (iii) the allegations in the Lawsuit.

PLAINTIFF’S OBJECTION:

Plaintiff objects to this request to the extent that it seeks information protected from disclosure by the attorney-client privilege. Plaintiff further objects to this request to the extent that it seeks documents not relevant to any party’s claims or defenses in the present case.

PLAINTIFF’S RESPONSE:

Subject to and without waiving the foregoing objections, see responses to Requests for Production Nos. 9, 14, and 15.

REQUEST FOR PRODUCTION NO. 6:

A list of (or documents sufficient to identify) all persons in the “core team” of Coalition for TJ, and documents sufficient to identify their respective addresses.

PLAINTIFF’S OBJECTION:

Plaintiff objects to this request to the extent that it seeks information outside of Plaintiff’s possession, custody, or control.

PLAINTIFF’S RESPONSE:

Subject to and without waiving the foregoing objection, see PLF01186.

REQUEST FOR PRODUCTION NO. 7:

A list of (or documents sufficient to identify) all persons in the “leadership team” of Coalition for TJ, and documents sufficient to identify their respective addresses.

PLAINTIFF’S OBJECTION:

Plaintiff objects to this request to the extent that it seeks information outside of Plaintiff’s possession, custody, or control.

PLAINTIFF’S RESPONSE:

Subject to and without waiving the foregoing objection, see PLF01186.

REQUEST FOR PRODUCTION NO. 8:

A list of (or documents sufficient to identify) all general members of the Coalition for TJ, and documents sufficient to identify their respective addresses.

PLAINTIFF’S OBJECTION:

Plaintiff objects to the request for “documents sufficient to identify [all general members of the Coalition for TJ’s] respective addresses” as overbroad and excessively burdensome.

PLAINTIFF’S RESPONSE:

Subject to and without waiving the foregoing objection, see PLF01188.

REQUEST FOR PRODUCTION NO. 9:

All emails and text messages between Coalition for TJ and any of its members relating to the TJ admissions policy.

PLAINTIFF’S OBJECTION:

Plaintiff objects to this request to the extent that it seeks information protected from disclosure by the attorney-client privilege. Plaintiff further objects to this request as vague, overbroad, and excessively burdensome.

PLAINTIFF'S RESPONSE:

Subject to and without waiving the foregoing objections, see PLF01178-PLF01185.

Dated: July 13, 2021.

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Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on the 13th day of July, 2021, I caused a copy of the foregoing to be delivered by electronic mail to the following counsel for Defendant:

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